

GOVERNMENT OF ANDHRA PRADESH
ABSRTACT

Public Servant – Commercial Tax Department – Nizamabad Division – Completion of final assessment of M/s Venkata Sai Constructions & fire Liquor delars – Certain lapses noticed – Articles Charges framed against Sri T.Venkateshwarlu, ACTO- Written Statement of defiance submitted – E.O. appointed – E.O. Report submitted – A.O.Retired from service on 31.7.2008 – Charges not proved – Further action dropped – Orders – Issued.

REVENUE (VIG.I) DEPARTMENT

G.O.Rt.No. 224

Dated.17.02.2010

- 1) DC(CT) Hyderabad (Rural) Division, Hyderabad Ref.No.E1/857/2004, Dated.27.10.2004.
- 2) Explanation of Sri T.Venkateshwarlu, ACTO, Dated., Dated. 19.11.2004.
- 3) A.C(CT) Audit (E.O) , Nizamabad, Division Report Ref.RC.No.AC/Audit/NZB/01/2006, Dated9.9.2006.
- 4) Explanation of Sri T.Venkateshwarlu, ACTO, Dated Nil.
- 5) CCT.Ref.No.V3//1095/2009, Dated.4.11.2009.

ORDER:-

Wherein in the reference 1st cited two Articles of Charges were framed against Sri T.Venkateshwarlu, Assistant Commercial Tax Officer (Now Retired) which are as follows.

i) That he has committed certain irregularities in the finalization of assessment while working as Assistant Commercial Tax Officer Office of the Commercial Tax Officer, Siddipet in the case of M/s Venkata Sai Constructions, Siddipet for the year 2000-2001 razing a demand of Rs.11,80,796/- which covers a of turnover of bitement of Rs.1,08,18,500/- which purchased from out side the state and used in the work contract by the dealer and at the time of re-assessment proposed to allow exemption on the T.O.of bitmen and the tax already paid by the dealers was got adjusted for the year 2001-2002 by putting up such misleading check-note to the Commercial Tax Officer there by causing loss of Revenue to a tune of Rs.8,65,480/- to the sate and

(ii) that while working as Assistant Commercial Tax Officer (C/A), Siddipet he put up note for final assessment orders to the Commercial Tax Officer in 5 liquor cases for the year 1997-98 adding 20 to 25% gross profit to the purchase value of Beer and Liquor and arrived at the estimated sale value of goods. The assessments were revised by the Joint Commissioner (Legal) who raised additional demands for Rs.7,29,821/-.

2 And whereas in the reference 2nd cited the Charged Officer Viz., Sri T.Venkateshwarlu has submitted his explanation to the charges framed against him.

3 And whereas the Assistant Commissioner (CT) Audit, Nizamabad Division has been appointed as Enquiry Officer for enquiry in ti the charges framed against Sri T.Venkateshwarlu, and in the reference 3rd cited the Enquiry Officer has submitted his report accordingly.

4 And whereas, with regard to charge –I, the Enquiry Officer opined that the individual acted in different ways in the four assessments completed of the same dealers simultaneously, as per the his knowledge with fair mined. Subsequently the Deputy Commissioner (CT) Nizamabad has revised the assessment orders of the C.T.O.of the year by levying tax on the turnover relating to Bitumen and passed effectual orders by raising a revised demand of Rs 8,70,440/- of the Commercial Tax Officer, Siddipet. Thus there is no loss of revenue to the department and the individual may be exonerated from this charge.

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5 And whereas with regard to Charge-II, the Enquiry Officer opined that the individual has not committed any mistake intentionally, however these assessments have been revised by the Addl. Commissioner (Legal) and raised revised demands in these five liquor cases by the CTO, accordingly and there is no loss of revenue to the department and hence the individual may be exonerated from these charges also.

6 And whereas in the reference 5th cited , the Commissioner of Commercial Taxes, while furnishing the Enquiry Report, requested the Government to take necessary action in the matter.

7 Government, after careful examination of the matter in detail decided that further action against Sri T.Venkateshwarlu, Assistant Commercial Tax Officer (Retired) be dropped as the charges framed against him are not held proved. The charges are accordingly dropped.

8 The Commissioner of Commercial Taxes, A.P.Hyderabad shall take necessary further action in the matter.

(BY ORDER AND IN THE NAME OF GOVERNOR OF ANDHRA PRADESH)

ASUTOSH MISHRA
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri T.Venkateshwarlu,
Assistant Commercial Tax Officer(Retired),
Commercial Tax Circle,
Medak,
Nizamabad Division.

2) The Commissioner of Commercial Taxes,
A.P.Hyderabad.

Copy to

1) The Director of Treasuries & Accounts

2) The District Treasury Officer, Medak District.

3) Sri T.Venkateshwarlu,
Assistant Commercial Tax Officer (Retried),
1-1-695, Flat.No.502,
City Home apartments CT, Colony,
Kothapet, Hyderabad-500035.

// FORWARDED BY ORDER//

SECTION OFFCIER